

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DALE YELLOW HORSE, and
DARIN LITTLE WHITE MAN,

Plaintiffs,

v.

DAWES COUNTY JAIL, KARL J.
BAILEY, Sheriff, and STEVE
CRILE, Jailer,

Defendants.

8:12CV16

**MEMORANDUM
AND ORDER**

This matter is before the court on its own motion. On December 9, 2011, Plaintiff Darin little white man (“little white man”) filed his Complaint in this matter. (Filing No. 1.) Little white man later filed a Motion for Leave to Proceed in Forma Pauperis (“IFP”). (Filing No. 14.)¹ On March 2, 2012, the court granted little white man’s IFP Motion and assessed an initial partial filing fee pursuant to 28 U.S.C. § 1915(b)(1). (Filing No. 16.) In doing so, the court warned Plaintiff that his case would be dismissed if he failed to pay the initial partial filing fee by April 2, 2012. (*Id.*)

The April 2, 2012, deadline has passed and little white man has not paid the initial partial filing fee in this matter. (*See* Docket Sheet.) Therefore, little white man’s claims are dismissed for failing to comply with the court’s March 2, 2012, Memorandum and Order. *See* Fed. R. Civ. P. 41(b); *see also* Conley v. Holden, No. 03-3908, 2004 WL 2202452, at *1 (8th Cir. Sept. 21, 2004) (affirming district court’s dismissal of inmate’s case for failing to pay the assessed initial partial filing fee).

¹Little white man originally filed this matter in the U.S. District Court for the District of South Dakota, which transferred it to this court on January 10, 2012. (*See* Docket Sheet.)

IT IS THEREFORE ORDERED that:

1. Plaintiff Darin little white man's Complaint (filing no. 1) is dismissed without prejudice because he failed to comply with this court's orders.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 16th day of April, 2012.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge

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